

**EXHIBIT-
ADMITS
PERJURY**

Exhibit
321

1

- Joseph Carson

Colin W. Gulick
Notary Public

My Commission Expires: 4-21-1974

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8/3/70

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI [REDACTED]
FROM: SAC, BOSTON [REDACTED]
SUBJECT: [REDACTED] m

On 8/3/70, Deputy Chief of the Strike Force EDWARD F. HARRINGTON met with Suffolk County District Attorney GARRETT BYRNE and Assistant District Attorney JACK ZALKIND, who prosecuted the DEEGAN case. Mr. HARRINGTON advised that at this meeting, the District Attorney said that the affidavit signed by JOSEPH BARBOZA BARON and filed in connection with the motion for a new trial on the DEEGAN murder case was not sufficient to warrant a hearing as it simply contains a general statement. The District Attorney is going to confer with Superior Court Judge FELIX FORTE and request that the motion be denied on this basis. The District Attorney also plans to confer with Attorney JOHN FITZGERALD who testified in the DEEGAN case.

For the information of the Bureau, Boston informant reports that BARON had been seeking \$250,000 from the defense on the promise of helping them out.

Attorney FITZGERALD has advised that BARON in the past, wanted him with BARON to contact Chief Defense Attorney JOSEPH BALLIRO and try to obtain money from him with promise of changing testimony.

2 - Bureau
1 - San Francisco (Info)
2 - Boston [REDACTED]
(5)
DMC/ras

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EXHIBIT

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It is pointed out that during the past week, Attorney F. LEE BAILEY telephonically contacted BARON's wife and in his contact he told her not to pick up a Western Union money order that had been forwarded to her but that other funds would be sent to her.

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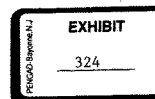
A copy of this communication is being designated for the Information of the San Francisco Office.

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000969

This recording is made on Friday, August 7th, 1970 at 4:05 at the International Motel, just outside of the John F. Kennedy Airport in New York City. Present at this interview - John Fitzgerald, Jack Zalkind and Detective William J. Powers of the Suffolk County District Attorney's Office.

- Q. Now John I am asking you to answer certain questions and I would like to know whether you want to answer these questions voluntarily and whether anyone has coerced you to answer these questions and whether you do this of your own free will and voluntarily?
- A. I make the answers to these questions voluntarily, there has been no coercion nor duress from anybody.
- Q. After the trial of the Commonwealth vs. Louis Grieco et al, in the summer of 1968, did you represent Joseph Barboza as an attorney in any way whatsoever?
- A. No, Sir.
- Q. Did you have any sort of business relation with the man known as Joseph Barboza?
- A. Yes, Sir.
- Q. And what was your business relation that you had with him after that period?
- A. Sometime in October of 1968, we entered into a contract, Barboza and myself, for the publication of a book which was to deal with various insundry criminal activities in the Boston area in which Barboza had figured in. This was our contract relationship between Barboza and myself, a copy of which I have given to you. The legal representation, in so far as the publication of the book, was to be handled by Irving Pinter, who drafted the contract and the author was to be a James Southworth, identified as a member of the Herald Staff, Sunday edition, Staff Reporter.
- Q. Now, after you had this contract which you entered into with Mr. Southworth, did you have an occasion to be with him in October of 1969, whereby he gave you certain papers, which allegedly were the first chapters of the book that he was going to write concerning your activities and Mr. Barboza's activities?
- A. The answer is yes.
- Q. Would you tell us the conversation that you had and where it took place?
- A. I had left the Middlesex Superior Court after testifying in the



- A. Grand Jury, connected with my bombing. Lieut. White and Lieut. John O'Donovan of the Massachusetts State Police took me to dinner over in a restaurant located on Memorial Drive near the Smith house. I forget the name of the restaurant, but it is over in that general direction. I asked Lieut. O'Donovan to call the Herald Traveler to have Southworth meet us there because I was expected to catch a 4:00 plane. Lieut. O'Donovan did and O'Donovan, White and myself waited until Southworth appeared. Southworth arrived at the restaurant, he came in with a brown manilla package, which he told me represented the first four chapters of the book. In as much as there were people present, I didn't feel it was polite to open the package at that time. Later that day while traveling from the Boston area, I had an occasion to open the package and when I opened the package I discovered that they were reproductions of tapes that had been, prior to this time in the summer of 1969, had been delivered to my residence at 18 Orchard Street in Mattapan by Southworth.
- Q. Now these tapes that he delivered, did you have a conversation with Mr. Southworth at the time he delivered these tapes to you?
- A. Yes.
- Q. What was that conversation?
- A. He delivered the tapes to me and told me that these were tapes that he had taken of Joseph Barboza, somewhere near Fort Knox, Kentucky. They represented, I believe there were six or seven tapes, that he had taken of Barboza, and this was a partial contribution of Joe towards the book and he brought them over to me to ask me to edit them. You know, to offer my opinion as to how they fit in and so forth.
- Q. In preparation for the book?
- A. In preparation for the book and this was the surprise when I got on the plane to open the package and find instead of being the book, it was just the tapes.
- Q. Now, you had said you had seen this was not the tapes, but these were the contents of the tape which were transcribed into typewritten papers?
- A. Yes, Sir.
- Q. Had you seen the typewritten papers before?
- A. No, Sir.
- Q. But you knew that these were the typewritten contents of the tape because you had heard the tape before?
- A. I had heard the tape.

- Q. Where did you hear the tape?
- A. I had the tapes in my possession and custody for two weeks and a half at Orchard Street in Mattapan.
- Q. How many tapes were there, approximately?
- A. I think Southworth gave me six or seven tapes and his tape machine to use the tapes.
- Q. I see, but he gave them to you so you could help him in writing this book?
- A. Yes, Sir.
- Q. Alright, now when you realized that he had not, in fact given you the contents of what he was supposedly writing for a book, did you then have a conversation with Joseph Barboza, sometime after this, concerning this element?
- A. Yes to answer your question, I had a conversation, but what I had done was I wrote Joe a letter and asked Joe to get a hold of me personally and told him how he could reach me. Joe called me up on the phone and I explained to Joe that I had returned to Boston and I explained that I thought I was going to have the opportunity to look at the four chapters of the book and all I looked at was tapes. And I said that I was satisfied from that incident that this kid lacked the inability and wasn't going to write the book at all.
- Q. When did you have this conversation with Mr. Barboza?
- A. This was sometime in the latter part of October or the first of November of 1969.
- Q. And how did you have this conversation, was this over the telephone?
- A. Over the telephone, he called me, I had written him a letter, telling him how he could reach me by phone,
- Q. Alright, and did he call you?
- A. Yes, Sir.
- Q. Did you recognize his voice over the phone?
- A. Yes, Sir.
- Q. Now when you told him this information, what was his response?
- A. His response was that well, he had to go back to Boston and

- A. straighten the matter out, that he felt that time was of the essence, that if he could see Southworth himself, he could kind of put him in a hotel room and make him do the work and for me to be patient etc. And that he would check with the kid himself to see what the story was.
- Q. Alright, and then subsequent to this, what happened?
- A. Subsequent to this -
- Q. You may refer to any notes that you may have etc., and so forth.
- A. Subsequent to this, I made a telephone conversation to Southworth and I told Southworth that I was quite unhappy over the fact that he had perpetrated what I considered to be a hoax. And he said, well I didn't mean to leave you that impression John, but he said I just wanted you to see that I was doing something. I said, well Jesus, you didn't do a hell of a lot, all you did was just merely type up the tapes which you had you know months before you brought them over to Orchard Street. Well, he said I've been talking to some people in the publishing business and they say that the major obstacle is that I don't have a good contract with Joe. And I said, well what to do is then to get the publishers together and have the publishers draft the contract, the publishers feel and the publishers' attorneys feel would represent the interest of the party. So he said, well I don't know, I think I'll see an attorney. So, Mr. Southworth allegedly went to an attorney and sent to me by mail a copy of a void contract between Barboza and Southworth and told me that he was sending this to me because he felt that I may have the opportunity to see Joe quicker than himself or I would have the opportunity to look it over and see whether or not this would effect my contract, in another words would I see anything objectionable between Barboza and Southworth, that would in any way effect my concern.
- Q. Now John I am going to cut in on you for a second, I just want to make sure that everything you say is being clear. Now John what I would like you to do, I noticed sitting here you have some letters, you have some papers and you have some, what looks like to me to be some calendar sheets, is that right, are these calendar sheets?
- A. Yes, Sir.
- Q. Now you may use whatever notes that you have and whatever letters that you have and will you tell us what conversations you had with Mr. Southworth and Mr. Barboza concerning Mr. Barboza's attitude towards the Federal Government and his disappointment at the way he had been treated by the Federal Government and any conversations you had concerning his considering telling a different story other

- Q. then what he said at the Deagan trial or any other trial in which he testified as a Government Witness?
- A. Yes, Sir. On September 25, 1968, I received a letter from Joseph Baron and Joseph Baron in this letter expressed dissatisfaction with the Government and I'll read a portion of it and I quote, "I felt these people were screwing me and were not living up to their word to contact him and you can tell him that very shortly there is a good chance I will try to see him. It seems that money has entered the picture in this late stage of the game and I have to spend my own money to make ends meet. Also Atlas is going to be held on stage, because stage has a case of stage-fright and the Director is using the stage has an excuse and is not living up to his word. So, by the time it is said and done, I will be completely broke because of the money problem they are crying about to me. Bitter, I am so god-damn bitter with these people, you can't even begin to realize what I have in mind in doing to get even for the devious and treacherous bullshit they have handed me." And the letter is signed "Joe" and is dated September 25, 1968 and is addressed to me, Hi, Lucky, which was a term that he referred to me after the bombing of the automobile.
- Q. Now after this letter, did you ever have either conversations or communications with him, whereby he had indicated of his thought of changing his testimony?
- A. Not at that particular time. Actually that letter and then there were some conversations relative to the attitude towards the Federal Government. He felt that they had promised him plastic surgery, he felt that two, they had promised him a lump sum of money, he felt that three, they had promised him a job as a V. A. cook. Now four, he felt that his identity had been made known from a U. S. Marshall. These were some of the reasons that he was dissatisfied with the Federal Government. And then by the same token, you would get other conversations with him in which he would say, well they got him a job, but that he feigned an accident to get out of the job. You would get another thing that is, how could he expect to carry a lunch pail like an average person. He wanted more money, but that was generally the conversation with him in the background of this letter. And sometime in January of this year, 1970, and I refer now to a desk calendar that I kept in my office in which I made references to telephone calls, not all telephone messages, some messages were received when you were out of town or at home, or when you were going out of town, but generally I tried to keep a record of messages with Barboza and Southworth. And on Monday, May 5th, and now I am reading from

- A. this desk calendar, I talked to James Southworth, who told me that he had talked to Joseph Barboza.
- Q. How did you speak to him, on the phone?
- A. On the phone.
- Q. Did you call him or did he call you?
- A. It doesn't indicate, Monday, I would assume that he called me because he generally didn't work on Monday, so I assume, sometimes it will say I called, sometimes there will be no mention but he told me that on Monday, the 5th of January, 1970, that he had talked to Joe and that he wants Joe and I to do a T.V. on channel #5 on gang war. And he also on that date told me Raymond was going on trial in Rhode Island; then, I am now referring - on Friday, January 16th, I talked to Joseph Barboza who informed me that Channel #5 -
- Q. This was on the phone?
- A. Yes, Sir, Channel #5 was going to do a show, where, no one knows. James Flemmi is out on bail on \$25,000. He informed me that Bob Crane, the State Treasurer, talked to Jim Southworth about soft-peddalling the Anzalone story. Claimed that he was in trouble, they were going to evict him, something to the effect about his land-lord having signed a land purchase contract. He is upset working as a cook, called Jim Southworth a few times. He had only \$4.00 in his pocket, claims that he will raise hell with the Government about some cases. The T.V. show will probably be done in the State of Rhode Island.
- Q. Now you are looking over your notes again?
- A. Yes, Sir, On Saturday, January 17, 1970, Joseph Barboza called and said he was losing his house, he was not working, he was writing a sixteen page letter to Southworth. Jim Southworth promised that the T.V. program would be filmed in Rhode Island and he would get \$2,000 for appearing in the film. He had been identified there, so that he needs the money for plastic surgery. On January 25th, 1970, Joseph Barboza called, said Southworth would be back in Boston by February 1st, he meaning Southworth would have the publisher down there. Joe mentioned something about Jim Southworth wanting to buy a small paper, that he had several persons, relatives of his and friends of his from the 'can, who would give us a ride around the city. Joe claimed that he had fifty pages of material

- A. that if he left it out would overturn the three cases without a possibility of him being charged with perjury. On the 27th, of January, I talked to Joseph Barboza, he called and said he talked to Jim Southworth, who said call and come back and he would reimburse him. On the 28th of January, Joseph Barboza called me and told me that he needed some money and asked me if I would send him \$120.00 in care of, do you want who it was in care of?
- Q. Yes.
- A. In care of Joseph William, [REDACTED] Santa Rosa, California, also gave me a number (telephone) to Donald Barboza Weiman 4-006 and when I return to Boston I am to call and say that I am Evelyn's father. He said that he would shake down Jim Southworth for the money as soon as he arrived. He said that Jim said he had thirty pages that he would finish up on the book, the publishers will be there when the T.V. program is made and Joe wants the T.V. to be held in Rhode Island. We then returned to Boston - we made the T.V. program.
- Q. When you say "we", who is we?
- A. I returned to Boston, Barboza returned to Boston. I forget the date, but it was in February, I believe it was on a Friday. Jim Southworth came to my house, picked me up and drove me to a motel down somewhere in Brockton or in that general area and we went into our room, and Mr. Caulfield from the Herald Traveler arrived and Mr. Zimmerman from the Herald Traveler arrived and a cameraman, whose identity, I don't remember. We then filmed a picture of the film the entire day, commencing somewhere about 11:00 in the morning until about 4:00 in the afternoon.
- Q. What was Joseph Barboza's physical condition during the filming of this tape?
- A. He looked better in the filming of the tape than I had ever seen him before. The only unusual thing about him, if there is anything unusual, is the fact that he insisted upon wearing a hat during the entire taping.
- Q. During the entire taping were you there?
- A. Yes.
- Q. You made certain statements and he did?
- A. Yes, Sir.
- Q. And you were both present when the statements were made?

- A. Yes, Sir, at no time did either of us leave the room during the filming of the tape. We filmed it Friday, Caufield and Zimmerman and the cameraman left, Southworth remained, we were then joined by Barboza's brothers and two or three other gentlemen. We asked Southworth where the publishers were and he said he was still waiting for them, he would get a hold of them and see if he could get them there tomorrow. We inquired about the money and Southworth said that was something he was working out with Mr. Clancey and not to mention it in front of Mr. Caufield and so we assumed that because Caufield you know, that maybe this was a side deal that Clancey didn't want the Head of the News Department to know, we wouldn't bring up the subject of money right then and there. Southworth left, in fact if my memory serves me correctly, drove me to my sister's house. Saturday, we returned to this same motel and my mother-in-law drove me down.
- Q. Do you recall the motel or where it was?
- A. There was a cutoff on that, what is it #128, like you're going down to Brockton to Plymouth and there is a whole motel, you just cut off the main road and there is the motel.
- Q. Did you sleep in the motel?
- A. No. Saturday, my mother-in-law drove me down, we waited. Southworth was there when I arrived, it was at 8:00 in the morning. We waited and then Joseph Barboza came into the motel and we had a cup of coffee, Joe was carrying a gun in his little attache case, and then Caufield, Zimmerman and the cameraman arrived and we again went in and filmed more material for channel #5. If my memory serves me correctly, Southworth drove me home and Joe Barboza left, he left before Southworth and I left.
- Q. During the filming of this particular event, there was a time when Barboza referred to some papers, was there not, when he gave the reasons why he had gone up against the organization?
- A. Yes, Sir.
- Q. Other than that occasion, did you see him refer to any other papers?
- A. No. In other words what actually happened was that he had listed the reasons on the paper for the purpose of adding a little more drama to the filming rather than just trying to check off all the reasons mentally.
- Q. Now did anyone prompt him or tell him what to say?

- A. No, there was no prompting, in fact there was a free running sort of ..
- Q. Did you discuss with him prior to this taping what you both would say?
- A. No, because the fact of the matter was much to my surprise was that they had no format, they had no script, so we went in there and listened to him tell about his, it was just a free range sort of a deal and it wasn't until the second day that they began to become precise with him on particular issues, other than that they just said talk and he just talked for hours.
- Q. Now following this, will you tell us what happened after this taping according to your notes and your memory?
- A. Well, following this, Barboza left with his entourage and Southworth drove me home. I had other than the two occurrences I have alluded to, I was not in the presence of Joseph Baron during that time to Boston at all. Now I did receive a call from Joseph Barboza on February 18th, 1970, in which he called and said he was very upset over an article in the Record-American allegedly written by Bob Court. He said that he had in fact gone up to the attic that night that was referred to, and he said that Jessie, a black driver for Joe Balliero, saw him and that's why Billy Balliero knows.
- Q. Is the Attic a restaurant in the downtown area of Boston?
- A. Yes, Sir, it is somewhere located in the Combat Zone. He said he did go to East Boston and people had to refrain him when he saw or passed by Guy Frizzi. He also told Paul Rico that a guy was missing and buried down the Cape and he wanted me to tell James Southworth the same thing and the guy's name started with Jimmy. This is alluded to in a couple of other places, what Joe wanted to do was to leave the impression that he had whacked someone out while he was here. On the 13th of February, James Southworth came over to my mother-in-law's house, located at 18 Orchard Street in Mattapan and gave me \$100.00. He said that he had a meeting with Anzalone, Dave Farrell and Bob Crane. He said that Anzalone wanted to know about the story that he was doing, Anzalone knew that Joseph Baron was back in town because Larry Cameron had told him. Now on, I am referring to my notes and I've passed one here, on January 30th, I have a note that James Southworth called and said that he could get \$3,000.00 for Joseph Barboza from channel #5 and says that he can get the fare immediately, easy to set up, that is easy to set up the T.V. program. Now on the 19th of February, James Southworth called and he said that Bill Stewart, the Cop, was indicted, Accessory

- A. After the Fact to Murder. He said there was activity in the Federal Court about Larry Baione. He said Clancy, the publisher was talking about doing a 90 minute special, they are going to take pictures of Bennett in Burke Street, New Bedford, said that channel #5 was upset over the \$15,000 advance referred to in Bob Court's article about the book and the national networks are interested, but will do nothing on the T.V. until they see it first; says that he does not know anything about a missing person that I referred to.
- Q. Now John, prior to this date, did you ever have a conversation with Mr. Barboza concerning an attempt to contact Attorney Joseph Balliero?
- A. Yes, Sir.
- Q. When was this and what was this conversation about?
- A. This conversation was sometime, well let's see, it was after Joe's second trip to Boston, he had come back in February and made the T.V. that I was there, he then returned and called my house to inform me that his father's license had been revoked and some relatives of his had been picked up on some shake-down of "bookies" or robbing of "bookies" and the government, also informed me that the government had given him his \$2500.00 back for expenses but they refused to give him the plastic surgery, and they would make no mention of the \$9,000.00 which he claims was of his own money and so he said to me that he had been back to Boston and that he had been moving around and that he had found out the Feds were lying to him, that Fred Ciampa didn't have a contract with them and that he had a lot of friends, there was a tussle going on between Boston and Rhode Island and he had the opportunity to get involved and he could come back on the street. The only way he could come back on the street to settle things would be to make certain things right; so what do you have on your mind and he said words to the effect, "well we can go see Joe Balliero, the lawyer and we can change the testimony because he said I got enough that will convince any Court that I was lying, so we will change the testimony and we will pick up a bundle of dough and everything will be straighten and I said to Joe, well now look, the same people involved in the Deagan trial were friends of the people who were involved and took my leg, I am satisfied that what was said at that trial was the truth, I don't want to get involved in any of your schemes, Joe and if you go through with upsetting any of your cases, you and I will be on opposite sides. He said, okay John, never mind, we won't talk anymore about it, that's it if that's how you feel and I said that's how I feel and that was the conversation that I had with him.

Q. Now would you continue referring to these notes that you have.

A. Yes, Sir. Then on February 26th, I received a telephone call from James Southworth and he says the publishers from New York, Random House, are meeting next week to see the T.V., he says that Joe Barboza called him up looking for money on the T.V. show, he said that he was turning over to Rico and Condon, all the material relative to the taping of channel #5, he was upset over the fact that some people think he had something to do with the Grand Jury summons that was sent out by the Task Force - allegedly after our appearance in Boston, he said that Joe called and then Barnes called him about giving \$1,000 for Joe's recent return to Boston; then on the 5th of March, again talked to James Southworth on the phone and again he referred to that there was no date set for the showing of the T.V., as the publisher Mr. Clancey had not set the date, said he had talked to Little & Brown about the book and then he referred to a trial in Rhode Island. On Wednesday, March 11th, Joe called and said, got a call last night referring to Tuesday, March 10th, said that the Feds had agreed to give him his plastic surgery operation, also \$2500 for recuperating, nothing about about his own money, he is going to return back to Boston and wants me to come back with him and has a bullet-proof vest, wants to stay near Jim Southworth down at the Cape for three days to straighten things out, said that James Southworth wrote a paper about Raymond Patriarca's trial and that Raymond Patriarca has a friend of Rudy Schirra on the jury - On Friday, March 13th, I talked to James Southworth, who had called, he said Caufield had talked to Rico and Condon, he said he had done an article about Raymond, he said that Joe had talked to him about taking another trip back to Boston. Then on March 25th, I talked to James Southworth, who informed me that the Chief of Police's daughter from Cranston, Rhode Island was on the jury down in Rhode Island. On the 16th of April, Joe Barboza called and told me that his visit to New Bedford was in the newspapers, this was referring to his second visit, that he had an interview with the Chief of Police about his behavior, brother still in jail, he said that Southworth has no phone, Joe said that people accused him of taking over the rackets in New Bedford and Rhode Island. On the 20th of April, James Southworth called, said that the book was in good shape, Joe stayed at his house, took his shotgun and went out firing. On April 22nd, I talked to James Southworth and he said there was nothing more on the T.V. or on the deposition of Joseph Baron which had reference to the suggestion made by Southworth at the time of the taping that Joseph Baron appear and give a deposition on behalf of the case involving the Herald-Traveler and one George Cahill. Now referring to on the 5th of May, I talked to James Southworth and he informed

- A. me that Stephen Flemmi was back in Boston, that Stephen Flemmi had returned to Boston after the Shields verdict. I asked him whether or not he had told the F.B.I., and he told me that he had told Denny Condon about it. He said that screaming Italians besieged Garrett Byrne's Office, claiming that Joseph Baron lied. He said that he had told Ted Harrington that Joe was willing to say that Louie Grieco was innocent, that Joe claimed that certain things went forward and the Federal Government and the Justice Department was aware of this misuse of information and that this would effect the future trials of informants that they have. He said that he said these things to psyche out the Federal Government on commitments that they had made to Barboza. And on that same day, I talked to Denny Condon, who called me and asked him whether or not he had ever heard that Stevie Flemmi was back in Boston and he said no, that he had not talked to Southworth at all. Another thing Southworth had told me that Denny Condon had called him on that day, referring to May 5th, right after Southworth allegedly had talked to Harrington and Denny said that number one, he had never called Southworth.
- Q. Did you speak to Denny on the phone after you spoke to Southworth?
- A. Yes, right, May 5th. My notes indicate that Denny denied talking to Southworth, denied knowing that Stevie Flemmi was back in Boston. And I think it is obvious that when Southworth said to me that Stevie Flemmi was back in Boston and he told Denny Condon, then when I'm talking to Condon, I said, "How come you haven't picked up Flemmi," Denny said what do you mean and I said Southworth told me that he called you up and told you that Flemmi was back in Boston and Denny said, "I never talked to him, so then I told Denny, "Well Jesus, he said he went up to Ted Harrington's office and told him all of these things, he wanted to psyche out Harrington, he said that he was never up to Harrington's . Then on May 6th, I talked to Joe Barboza, who was upset over Jim telling that story about Louis Grieco to Ted Harrington. He rambled on about New Bedford he further rambled on about the book. Joe says that his testimony was that he and Ronny Cassesso went to Peter Limone and that at no time did Romeo Martin ever having dealings with Peter Limone and Joe sent Jim Southworth a letter to the Parole Board the letter was to be given to Denny Condon. Then on May 14th, I talked to Claire Baron, and she was quite upset over the fact that Joe was not working. She was going to leave him and go back to Boston. He is hanging around with some rough guys. Thereafter Joe called and mentioned that he had a credit card, he is upset not hearing from Jim, wants me to leave and he would meet me in Connecticut and his girl-friend will pick me up, he

- A. said that Jim did not give that letter to Denny, that Joe wanted to go to the Parole Board, brothers are still in Jail, repeated his tale of being abandoned. On May 14th, James Southworth, didn't know where or when I'm referring to telephone conversation, that the deposition would be taken, again I'm referring to the Herald-Traveler George, he says that the attitude of Rico and Condon had changed towards him, he says that he has sketched out one quarter of a chapter, that Random House mentioned for the first time, Gambit are interested in publishing it, said that the Feds have finally settled Joe's furniture claim and there is a big question now on the plastic surgery. On May 17th, Sunday, Joseph Barboza called my house three times before I had come home, claims that he heard from someone who would be in a position to know that James Southworth had gone to Gerry Angiulo, allegedly conscience-stricken over the Deagan trial. I told Joe that he could be only sure of that if one, you were positive of the creditability of the person who he was talking about and if that was a fact then it would seem to me that Southworth might be lining up to be a witness for Stewart. Then Joe talked to me about the Stewart affidavit, I advised Joe that if he had gone to Angiulo then he would probably be telling where Joe was living, Joe wanted to know at that time if he could sue the Herald-Traveler and I told him to see his lawyer.
- Q. You were not his lawyer of course?
- A. No. I have always advised Mr. Baron that my present job with the Government precluded me from representing anyone without permission from and this is pretty much limited to yourself and your own spouse. And Joe asked me what if this motion was heard and Southworth said that he said these things. Well I said then you would probably be called upon to testify against Southworth to get on the stand. I then called Denny Condon and further advised Denny that Joe Barboza was going back to town. On May 18th, Joe Barboza called and said that he had talked to Denny and Paul Rico and had told them about Southworth's visit to Jerry Angiulo his conscience and again I repeat about the innocence of the three men...
- Q. Now excuse me for one second, you say that you told Denny about Southworth saying something about the innocence of the three men, is that correct?
- A. No, I'm talking about Joe said that he had called Denny and had told Denny about Southworth going to Jerry Angiulo and told Denny that Southworth was allegedly conscience-stricken about the innocence of three men.

- Q. Isn't it true that when you spoke to Southworth that he only mentioned one man, Louis Grieco?
- A. Yes, Sir.
- Q. This is the first time we have heard anything about three?
- A. Right, Sir. And again talking about the reliability of this information, I said to him how reliable was this guy that told you Southworth had gone to visit Angiulo and he said well he knew that I was planning on coming back to make the depositions for the Herald-Traveler and Joseph Barboza claimed that James Southworth smoked grass with him to brighten him up. Joe was planning to return to Boston and claims that when he leaves there will be fireworks. He keeps talking about some guy named Herbie from Frisco, who will be with him. Joe claims that the Feds told him that Jerry Angiulo had Louie the Fox whacked out. According to Joe, there is bad blood between the Rhode Island and the Boston group. Again that is something he had alluded to in conversations with him back in Boston, especially when we discussed the Louie the Fox murder and how he had been approached to straighten things out. Now on May 21st, Joe called and said that he had talked to James Southworth. James Southworth denies ever talking to Jerry Angiulo. He says that he can't go back to Boston as he was summonsed in for some case on May 22nd.
- Q. This case, you mean summonsed in, where he was then living and it was a civil case as far as you know?
- A. Right, my understanding it was.
- Q. Did it have something to do with the house he bought etc.?
- A. Right. And I might say this, that it is my understanding that on a claim that he had or a workmen's comp., or some sort of industrial case that he has, his own attorney retained for that. He said that on May 25th, he and Jim were going to do an article on Barnes Inc., on broken promises and he is still planning on going up against the Government, noticed that at this time that each time he talks he keeps mentioning, "I am more afraid of Raymond because he can reach up." On May 26th, I talked to James Southworth and again he talked about the deal with publishers Little & Brown and Random House, he says that Joe is planning on coming back to Boston. He says that he has never visited Jerry Angiulo. He claims that he made a comment when someone suggested Stewart was telling the truth about the Deagan trial, that the only one who would know would be Joseph Barboza and this is what got back. He says he never visited Angiulo and never said anything about the Deagan trial.

- Q. This is what Southworth told you?
- A. This is what Southworth told me, yes, Sir. On Friday, May 29th, Memorial Day, off from work, James Southworth called.
- Q. Again you are reading from these little calendar notes?
- A. Yes, Sir. These are accurate of my memory but they do not purport to represent all of the telephone conversations that I had with these people. Most of the time I tried to put things down but.....
- Q. There would be circumstances when you would be busy...
- A. When you would be busy or out of town, one time I was sent to Texas for two weeks on an investigation, I made the entries at work and kept this inside drawer, but on May 29th, my notes indicate Memorial Day, off from work, James Southworth called and said he had stayed home for two days as he thought Joe Barboza was coming. Promised he would return the scrapbooks. He keeps on saying that Stevie and Frankie were in town
- Q. You keep on mentioning a Stewart, who do you know that person to be?
- A. William Stewart, by reference to him I am referring to a Boston Police Officer, who lives on Blake Street, behind my mother-in-law who I know of my own personal knowledge etc. By Stewart, I am referring to that one who is also the same one who was indicted by the Suffolk County Grand Jury for the murder of Billy Bennett, as an accessory after the fact. On Monday, June 15th, James Southworth called, he inquired about whether or not Irving Pinter had an injunction preventing the publication of the book. Joe is back in town and is with his girl-friend and has been reaching around Boston. He thinks Joe has been staying in Rhode Island and has had contacts with various people. This is what Southworth told me on that day. On Saturday, June 20th, I talked to Southworth, he claimed that he was being regarded as a conduit for Joe; that Zalkind called him for an affidavit in regards to Deagan case. They have a statement from Stathopoulos in which Joe told him to say that Louis Grieco was in the alley, that he would refuse to give Zalkind a statement because he was a newspaperman coupled with the fact that he was writing a book for Joe. Then he went on to say that Joe never discussed the Deagan case with him and that he would return the scrapbooks.
- Q. May I clarify one thing, you say in there that he said that Zalkind told him that he (meaning Zalkind) had a statement from Stathopoulos claiming that Joe Baron told Stathopoulos to say that he saw Louis Grieco in the alley?

- A. Yes, Sir. On Sunday, June 21st, Joseph Barboza called, my notes indicate little, upset with Southworth, denied saying anything about the Deagan case to Southworth. On Tuesday, June 23rd, Joe called and said his identity had been made, some guy with connections in Nevada knew who he was, he says he knows where Guy Frizzi will be staying in California, he talked to Jim Southworth, who refuses to give Garrett Byrne a statement, said the guy who gave Garrett Byrne, oh, he said the contact who gave Garrett Byrne that story after J. S. came to see him was Joseph Balliero, the attorney. He does not want to work but wants to move and lead another life, said something about losing his address book and getting it back two days later. On Tuesday, June 3rd, Denny Condon called and said that Joe Barboza had talked to Ted Harrington, Harrington said that Joe told him that he had never said any of the men were innocent and Southworth has never showed up to give an affidavit.
- Q. Now during all of these conversations Mr. Fitzgerald, there was no animosity between you and Barboza was there?
- A. No, Sir.
- Q. At the time you were friends, I wouldn't use the word friends ..?
- A. We were engaged in a joint venture, a business venture or whatever you might call it.
- A. On July 3rd, 1970, I talked to James Southworth who informed me that Pinter had called him in re: the book and said meaning Southworth that he was not sure that he was going to write a book at all. The only other record I have with me at this moment is here is something interesting - Ronny Wysocki called me on Thursday, July 23rd, and he asked me to call Bob Caufield at 288-9294, private phone, home phone [REDACTED] talked to Caufield and outlined the background of the T.V. incident, that Jim promised that we would get money from the Herald-Traveler, also told him the story about the book. Caufield said the station was spending about \$8,000 to run the T.V. and background and he said that he had spoke to Jim Southworth about whether he had ever promised to pay us money for the T.V. and that Southworth had said, no, he borrowed \$20.00 from Caufield one day, while we were down making the thing and he had spoken to Clancey about filming it and Clancey was very interested in filming it but there was a strike. I told Caufield about Jim Southworth's visit to Garrett Byrne and repeated the alleged incidents, where Southworth had called up and said that he had gone to Harrington's and told a story about Deagan and that he had psyched it out. I told

- A. Caufield that you know this guy runs around is Barboza's chauffeur, house guest and runs around making all kinds of lies and I said if it had been anybody else or if I had been acting in the capacity of Barboza's attorney, I said we would probably be suing you for breach of promises. But I said I came back to make the T.V. not for the inducement of the money, but to cite one, taking a poke at Raymond and also, two, in meeting the publishers. But I said it seem to me that you shouldn't employ a newspaperman who represented that he was speaking for the publisher and Caufield said that he would probably take it up with Clancey and he was very disturbed about it. On the 29th of July, I received a telephone call from James Southworth, who informed me that Joseph Baron has signed an affidavit, stating that he wanted to recant his testimony, then he repeated to me what this affidavit purportedly said. He said to me that he would return the scrapbooks and he said, Southworth felt that Garrett Byrne has spread the word around town, that he (meaning Southworth) was responsible for Joe's changing his . . . And the next day I spoke to him was on Thursday, July 30th, he called and said he got drunk last night.
- Q. This is Southworth?
- A. Yes, Sir. He said he would return the scrapbooks today/ he said the Boston Globe and then he repeated what pages they were on he said that on Monday, July 27th, Herbie Jesus and some guys came to his home, Southworth's house, and picked up all documents that were in his possession, except my scrapbooks and tapes from him and that they are now in the possession of F. Lee Bailey. James Southworth said that when Barboza had been back in Boston, and now this is the visit subsequent to February, the second visit, that he had rented a car in his name for Joseph Barboza in his own name and that the bill was so high, that they ended up shutting off his lights.
- Q. Shutting off his lights?
- A. That's what he said, his home lights.
- Q. In other words, after paying for the rented automobile, he didn't have enough money, I see. Make a note, when we get back, remind myself to check whether in fact his lights were turned off and whether in fact he did rent the car

Tape #2

Q. We want to get hold of Denny Condon when we get back to ask him to show us any letters that he has from John Fitzgerald and Joseph Barboza. In particular, a letter that John Fitzgerald sent him, that is Denny Condon, stating in there that John didn't want to get involved in anymore of Joseph Barboza's schemes.

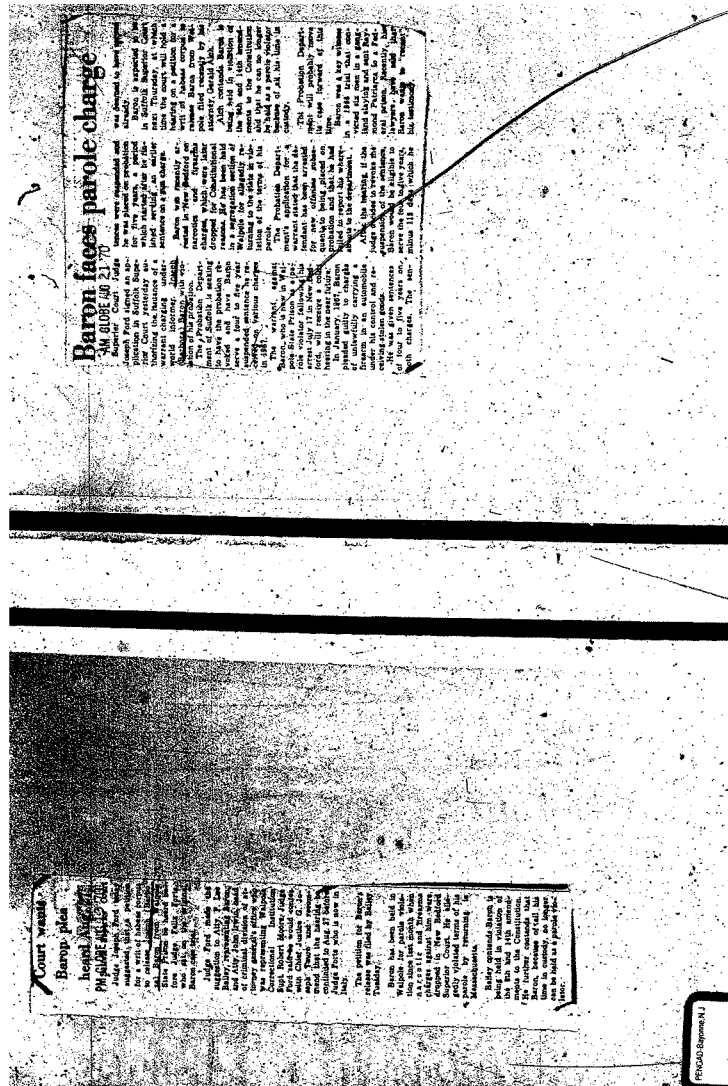
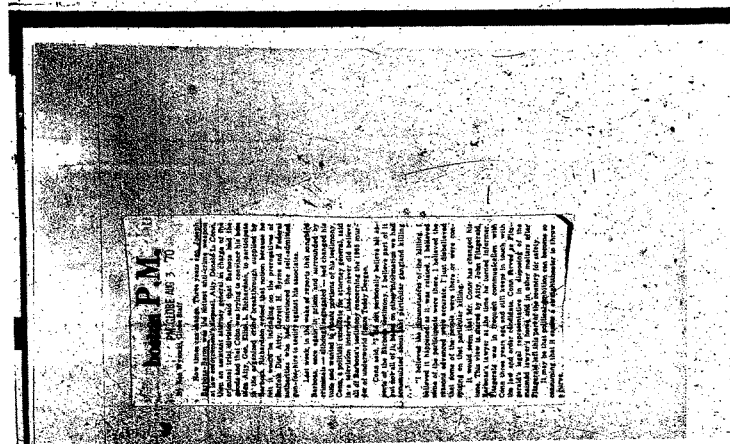
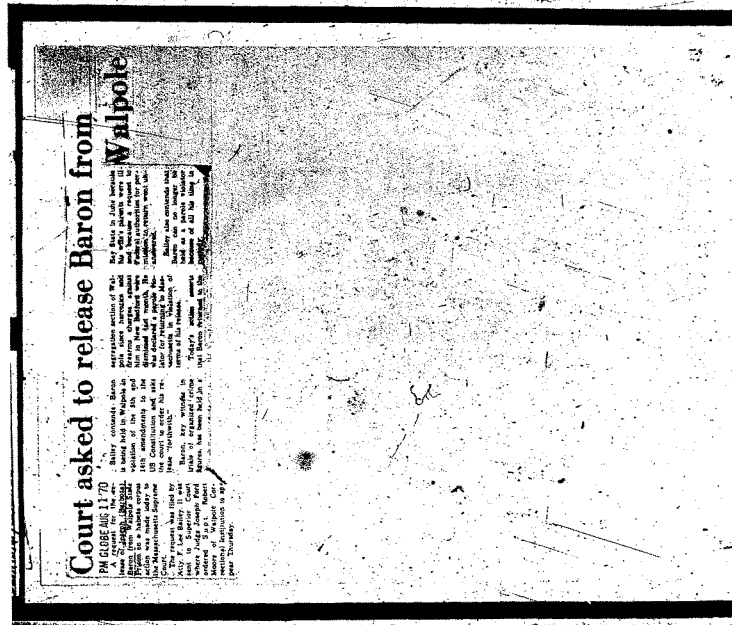


EXHIBIT
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Hearing on Baron test continued, starts

PM 6:03E AUG 25 '70

A Superior Court hearing on a lie detector test for Joseph Barboza, Baron, sparked a courthouse demonstration today on behalf of four men on Walpole's death row convicted in a case in which Baron appeared as a witness.

Superior Court Judge Joseph Ford continued the

hearing until tomorrow and the crowd broke up before a half dozen police officers arrived to restore order in the courthouse.

The hearing was called on a petition filed by Atty. F. Lee Bailey on behalf of Joseph Barboza Baron. It asked that Baron be allowed to take a lie detector test to prove that he was lying in his testimony in the Deegan murder trial.

Assistant Dist. Atty. Jack I. Zalkind told the court that the office of Suffolk County Dist. Atty. Garrett H. Byrne was not interfering to prevent the test but since lie detector tests are not admissible in court the office would be against it.

Judge Ford continued the case for one day to

allow Atty. Bailey to contact correction officials and tell them there is no court order existing which will prevent Baron from taking a lie detector test.

Bailey said he would contact Walpole Superintendent Robert Moore to make another effort to have Baron take the lie detector test.

The crowd of about 65 filled the courtroom and remained silent during the hearing. At the conclusion of the hearing they moved downstairs to the first floor of the courthouse near the Somerset st. entrance and began berating the district attorney and his office for his stand on the lie test.

A man who identified himself as a relative of Peter Limone said if they were not successful they would return 20,000 strong to the courthouse.

Demonstrators were relatives and friends of Peter J. Limone, 34, of Medford; Henry Tameleo, 66, of Cranston, R.I.; Louis Grieco, 51, of Peabody; Wilfred "Roy" French, 26, of Everett; Joseph F. Salvati, 36, of North End, and Ronald A. Cassano, 37, of Somerville.

Limone, Tameleo, Grieco and Cassano were sentenced to death for the slaying of Edward (Teddy) Deegan in a Chelsea alley in 1963. The trial was held in Suffolk Superior Court before Judge Felix Forte in July of 1968.

French and Salvati were sentenced to life in the same case.

The same relatives on May 1 staged a demonstration on the sixth floor of the courthouse and police had to be called when they threatened to storm the office of Dist. Atty. Byrne.

In today's court hearing Asst. Dist. Atty. Zalkind said Bailey's suit was an

other attempt to disparage the district attorney and Chief of Detectives John F. Doyle Jr. as well as himself.

Judge Ford said that the office of the district attorney had no right to interfere with the taking of the detector test.

In the Deegan case the testimony of Joseph Baron was in part supported by the testimony of Atty. John Fitzgerald, who prior to his testimony lost a leg when his car was bombed, and also supported by Anthony J. Staphopoulos, a friend of Deegan who was supposed to have participated in the robbery which proved a setup for Deegan's slaying.

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BSF-01363

[illegible][illegible]

Democratizers were relatives and friends of these persons, and the front names of the Democratizers were:

William T. Tinscoe, 86, of Cranston, R. I.; Louis Wilson, 114, of Wrentham, Mass.; Roy F. Fitch, 24, of Everett, Joseph F. Sullivan, 40, of Fall River, and John A. Casano, 31, of Southwick, Connecticut.

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8/25/70

TELETYPE

URGENT
IMMEDIATE

TO: DIRECTOR [REDACTED] F
FROM: BOSTON [REDACTED]

[REDACTED] m

REBOSTEL AUGUST TWENTYFOURTH LAST.

PURSUANT TO A TELEPHONIC REQUEST OF DONALD BARBOZA, BROTHER OF JOSEPH BARON, DONALD BARBOZA WAS INTERVIEWED LATE PM YESTERDAY AND EARLY AM TODAY. DONALD SAID BARON REQUESTED HIM TO CONTACT SA DENNIS M. CONDON AND TO RELATE THE FOLLOWING TO HIM:

HE, BARON, IS SCHEDULED TO BE TRANSPORTED FROM MCI, WALPOLE, MASS., FOUR AM, AUGUST TWENTYSEVENTH NEXT, IN CONNECTION WITH HEARING IN SUPERIOR COURT, BOSTON, THAT DATE. BARON WANTED SA CONDON, WALTER BARNES, CHIEF OF STRIKE FORCE, BOSTON, AND JOHN PARDINGTON, DEPUTY USM, PROVIDENCE, R.I., WHO WAS IN CHARGE OF BARON'S DETAIL, TO MEET AND TALK TO HIM AT FIVE AM, AUGUST TWENTYSEVENTH NEXT SO THAT F. LEE BAILEY WOULD NOT BE AWARE OF THIS CONTACT.

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8/25/70

TELETYPE

~~URGENT~~
~~IMMEDIATE~~

PAGE TWO

DONALD BARBOZA SAID BARON MADE STATEMENT THAT THERE WOULD BE NO POLYGRAPH AND THAT HE, BARON, WAS JUST TRYING TO MOVE THESE PEOPLE FOR SOME MONEY; THAT HIS ARREST IN NEW BEDFORD, MASS., "SCREWED UP" THIS MOVE; THAT ATTORNEY JOE BALLIRO "SCREWED HIM UP" BY GOING INTO COURT WITH THE AFFIDAVITS. BARON TOLD HIS BROTHER TO RELAY THE FACT THAT HIS WIFE HAS HIS PAPERS RE DEEGAN MURDER TRIAL AND ON WHICH NUMEROUS HANDWRITTEN NOTATIONS OF ASSISTANT SUFFOLK COUNTY DA ZALKIND APPEAR, WHO PROSECUTED THIS CASE.

BARON ALSO TOLD HIS BROTHER THAT F. LEE BAILEY ASSURED HIM THAT THE PROBATION VIOLATOR WARRANT RECENTLY SERVED ON HIM WOULD NOT BECOME EFFECTIVE UNTIL THE END OF HIS PRESENT SENTENCE ON OCTOBER FIFTH NEXT; THAT SINCE HE WILL ACTUALLY BE RELEASED FROM THE PAROLE VIOLATION ON SEPTEMBER TWENTYTHIRD, NEXT, BECAUSE OF HAVING GIVEN BLOOD, THE LATTER WARRANT WILL NOT AFFECT HIS CONTINUED INCARCERATION. BARBOZA TOLD HIS BROTHER THAT BAILEY ALSO ASSURED HIM THAT THE DISTRICT ATTORNEY IN BRISTOL COUNTY COULD NOT DO ANYTHING WITH THE DRUG AND GUN CHARGES FOR

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TELETYPE

URGENT
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PAGE THREE

WHICH HE WAS ARRESTED IN JULY LAST.

BOSTON OFFICE WILL ADVISE BARNES OF BARBOZA'S
DESIRE TO SEE HIM AND UACB, SA CONDON WILL NOT SEE
BARBOZA.

END

000972

BARRY L. ALCH, GILLIS & DANIELS

ATTORNEYS AT LAW

ONE, ONE, TWO PLAZA, BOSTON, MASSACHUSETTS 02108

AREA CODE 617 551-1100

F. LEE BAILEY
 GERALD ALCH
 COLIN W. GILLIS
 RAYMOND J. DANIELS
 DANA P. SMITH
 EDWARD DANIEL, III

WILLIAM J. D. BIRN
 OF COUNSEL

WILLIAM G. BENTLEY
 ADMINISTRATION

August 27, 1970

MEMO TO: JOE BALLIRO

FROM: LEE BAILEY

This is a status report of the present situation with respect to Joe Baron and his proposed recantation of testimony given before the Superior Court in Commonwealth v. French. Although I have necessarily excluded a few matters as confidential between Mr. Baron and myself, he has authorized me to inform you as to the matters described below.

As you recall, when I met with Baron at his request in New Bedford, he stated that he had felt for some time that he should make a direct effort to right the injustice which his testimony had caused. He indicated that he had been assured all along that (especially in the murder cases) a conviction was unlikely, and after the conviction occurred he was told to expect that due to trial errors the Supreme Court would reverse the cases, and of course there would never be a re-trial; therefore, no permanent harm would be done to anyone whereas the government would have accomplished its primary objection: much publicity about prosecuting organized crime. After he learned that the Supreme Court affirmed the convictions and discussed this fact with many friends, he became persuaded that these men might be executed for something they hadn't done and therefore took steps on his own to make his feelings known to the victims of his testimony. His arrest in New Bedford following my agreement to represent him was of course an unanticipated and unfortunate intervening factor, and has prevented me from going over exhaustively with Baron all of the events that led up to his trial testimony and caused it to seem credible. Nonetheless, after

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No To: Joe Balliro
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many hours of conversation with him at Walpole I am convinced that I have most of the details of what actually took place. It appears that the reports you have described given to three different police officers in three different departments by persons other than Baron correctly describe the Deegan killing and the attempt on the life of Stathopoulos. It appears that Mr. French did in fact shoot Deegan, that Mr. Cassesso was present with Baron in the car and conspired to kill Stathopoulos but was not involved in the Deegan killing, and that Salvati and Greco were not present at all. Further, Tamelio and Lemone had nothing to do with arranging Deegan's murder nor had they any reason to believe that it was going to occur. The person sitting in the rear of the automobile which the Chelsea Police Captain saw was in fact bald and was Vincent Peleumi. Romeo Martin in fact shot Deegan but the role ascribed to Greco as the third assailant of Deegan in fact involved another man whose last name begins with "C" as you had earlier suggested to me. All of this information will be verified by polygraph test within the next few days, but I believe that an additional affidavit from Baron naming the actual participants together with a statement by Cassesso, who has never testified, would be helpful in corroboration.

~~I have had no response to my letter to the Attorney General asking for help in writing the injustice that Baron has caused.~~ I am sorry that I am unable to permit you to question Baron at this time, and I am writing this letter in part so that you will be able to explain to the families of your clients what my position is and why I cannot permit interrogation now. Although my sympathies are of course primarily and directly with the victims of your affair, I must either give Baron full representation or none at all and I cannot ask him to put in the hands of hostile counsel testimony which could result in very severe penalties to him.

~~If the law enforcement authorities are interested in correcting the wrongful convictions which were obtained in the Superior Court, they have the power to do so and they certainly by this time have every reason to believe that a terrible mistake has been made. I will do everything I can consistent with Baron's legal rights to aid in attaining this result. I am very hopeful that before much more time goes by someone in authority will recognize the serious res-~~

To: Joe Balliro
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~~possibilities to be faced and confer with me about some reasonable and practical means of getting these clients free. Until that time there is not very much that I can do directly except to try to prevent Baron's continued incarceration. I must be frank in saying that because of his past behavior, he has some feeling that he can trade his own freedom (as he did before) for the conviction (even if wrongful) of people whom the law is out to get. The present effort of the authorities to violate his probation and keep him in prison for another five years may well - at least for the time being - operate to prevent the truth from coming out. When Baron becomes convinced that trading freedom for fiction is beyond the control or influence of those with whom he collaborated, I think he will testify to the true facts even though there may be some personal risk involved.~~

Should it at some time in the future become feasible for you to interview Baron - even in limited fashion - I will advise you at once.

Sincerely,

L.C.

F. LEE BAILEY (P)

FLB/pw

8/31/70

Ex-crime boss Patriarca paroled in Rhode Island

Raymond Patriarca, reputed chief of organized crime in New England, who was convicted of murder charges on testimony of a man who later moved to Santa Rosa, was granted parole Thursday.

The 66-year-old Patriarca was granted parole by the Rhode Island Parole Board after serving five years of a 10-year sentence.

He was sentenced on murder conspiracy charges after testimony from Joseph Barboza Baron during a 1968 murder trial in Boston.

Patriarca was sentenced in 1970 for conspiracy to murder Rudolph Marfeo, who was shot to death with another man in 1968 at a Providence, R.I., grocery store.

At the time, Patriarca was serving a five-year sentence in federal penitentiary in Atlanta, Ga., for conspiracy to murder Marfeo's brother, William, who was killed in 1966.

Baron was tried in Sonoma County in 1971 on charges he shot and killed Clayton Rickey Wilson, 26, Santa Rosa, in July 1969 in a remote area of Sonoma Valley. Wilson's body was found Oct. 12, 1970, and subsequent investigation led to Baron's arrest.

Midway through his trial

Baron, reputed New England hit man who worked for Patriarca, changed his plea to guilty to second degree murder charges.

At last report he was serving his sentence in Montana State Prison.

Baron was moved to Santa Rosa and given a new identity under the name Joseph Bentley, after turning state's evidence in New England.

Rhode Island Parole Board chairman Joseph Galkin said the five-member panel decided to release Patriarca because of "his

excellent prison behavior and the desirability of supervision in the community."

The Rhode Island Attorney General's office and the U.S. Attorney's Office opposed his parole and release.

It was Patriarca's third request for parole. A previous bid in June was turned down by the board, which said his release "would deprecate the seriousness of his offense and is incompatible with the welfare of society."



AFFIDAVIT

Personally appeared before me Edward F. Harrington, United States Attorney for the District of Massachusetts, and being under oath, deposed and said as follows:

1. On August 28, 1970, I and Walter T. Barnes were Special Attorneys assigned to the Organized Crime and Racketeering Section in the Boston Field Office of the United States Department of Justice.
2. At approximately 1:00 p.m. until 2:15 p.m., on the aforementioned date, I and Walter T. Barnes interviewed Joseph Baron, also known as Joseph Barboza, at the Walpole Correctional Institution, and thereafter made a written memorandum of the interview.
3. A copy of the memorandum is affixed hereto and is a complete, accurate and truthful account of the events set forth therein.

Edward F. Harrington
Edward F. Harrington,
United States Attorney,
District of Massachusetts

Then personally appeared before me the above named Edward F. Harrington on the thirty-first day of October, 1978, and swore that he had read the foregoing affidavit and affixed memorandum and that the facts therein stated are accurate and true.

William F. Baker
Notary Public
M.C.E. 10/5/84



UTB:EPH:dad

James Paatharstone, Deputy Chief
Organized Crime & Racketeering Section

August 28, 1970

Walter T. Barnes and Edward F. Harrington
Special Attorneys, Boston Field Office
Organized Crime & Racketeering Section

Interview with Joseph Baron

On August 28, 1970 at approximately 11:00 A. M., Arthur Isberg, Massachusetts Commissioner of Corrections, telephonically advised Walter Barnes that Joseph Baron had requested in writing to speak to Barnes and Special Agent Dennis Condon. Isberg told Barnes to contact Fred Butterworth at Walpole for the exact wording of the request. Edward Harrington called Butterworth at Walpole and Butterworth read Baron's written request, a copy of which is attached to this memorandum. Harrington advised Butterworth that Barnes and Harrington would leave immediately for Walpole.

Barnes and Harrington conferred with Joseph Baron at Walpole Correctional Institution from approximately 1:00 P. M. until 2:15 P. M. Baron requested Barnes and Harrington to relocate his wife and family from California in light of the fact that their whereabouts had become public knowledge, having been disclosed by his counsel, F. Lee Bailey, at a prior court proceeding. Barnes and Harrington did not make any response to this request. Baron also requested that his probation revocation warrant be withdrawn. Barnes and Harrington advised Baron that they had no control over the Massachusetts Parole Board and that they could make no promises in this regard.

During the course of the conversation, Baron made the following statements:

Baron stated that it was his original intention to inveigle members of the underworld into giving him money on the pretext that he would recant his testimony given in previous trials and that, when he received the money, he would leave the area without recanting.

Baron also stated that his counsel, F. Lee Bailey, "made him sign the affidavit" and that "they" have sent his wife money in return for his signing the affidavits; that Bailey acknowledged

to him that the affidavits themselves were not sufficient to warrant the granting of a new trial, but that it would be necessary for Baron to testify as a witness, which Baron does not desire to do.

Baron also advised that his testimony in the Deegan case was truthful and that he had signed the affidavits only for money; that he is not going to take the lie-detector test on August 31, 1970, for he feels that once he has taken the test Bailey will have no further use for him and that his life will be in danger; that he will tell Bailey that he had spoken with Barnes and Harrington merely to tell them that, if they were going to pressure him by initiating criminal charges, he would open up a "Pandora's box." He stated that this statement would be merely a pretext so that Bailey will not distrust him on account of his seeing them.

Baron stated that if he took the lie-detector test it would prove that he told the truth during the Deegan trial, but that he will not take this test until he is out of custody and beyond the control of Bailey.

Baron stated that two of his trips from California to Boston were made at the instigation of the underworld and that he was paid for these trips through the books of Bi-Le Construction Company of Providence, Rhode Island, an officer of which, Frank Davis, Baron met on several occasions in this connection.

Barnes and Harrington told Baron that they would and could make no promises to him but that they would merely pass the results of their conversation on to District Attorney Garrett Byrne, which was done by Harrington at approximately 3:30 P. M. on August 28, 1970.

Enclosure